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*Attorneys for Plaintiff and the Putative Class*

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

**JONATHAN HOANG TO**, individually and on  
 behalf of himself and all others similarly situated,

Plaintiff,

vs.

**DIRECTTOU, LLC**, a Delaware Limited Liability  
 Company,

Defendant.

Case No.: 3:24-cv-06447-WHO

District Judge: Hon. William H. Orrick

**DECLARATION OF JONATHAN HOANG  
 TO IN SUPPORT OF PLAINTIFF'S  
 MOTION FOR PRELIMINARY APPROVAL  
 OF CLASS ACTION SETTLEMENT**

Courtroom: 2

Hearing Date: December 11, 2024

Hearing Time: 2:00 p.m.

1 I, JONATHAN HOANG TO declare as follows:

2 1. I am over the age of 18 and have personal knowledge of the facts set forth in this  
3 declaration and could and would testify to them.

4 2. I am the Named Plaintiff and proposed Class Representative in the above-captioned case.  
5 I submit this declaration in support of Plaintiff's Motion for Preliminary Approval of Class Action  
6 Settlement.

7 3. I decided to join this lawsuit as the Named Plaintiff and Class Representative after  
8 speaking to my attorneys in or about April 2024. During our initial conversation, which lasted a little  
9 over an hour, my attorneys and I discussed my DVD and Blu-ray purchase history, including what I  
10 purchased at [www.deepdiscount.com](http://www.deepdiscount.com). During our initial conversation, my attorneys asked me to search  
11 through my email and credit card records to locate purchases from Defendant's websites.

12 4. I spent approximately two hours searching through both my paper records and electronic  
13 records to determine what I purchased from Defendant's websites, including [www.deepdiscount.com](http://www.deepdiscount.com),  
14 and to pull up receipts of these transactions.

15 5. I also spent approximately half an hour figuring out how long I have had an account with  
16 Facebook, which was something my attorneys asked me to do.

17 6. After I expressed an interest in joining the case as a named Plaintiff and Class  
18 Representative, my attorneys explained to me what it means to be a Class Representative and what  
19 duties and obligations I would have to the other class members in this role. Based on our conversation,  
20 I understood then and I understand now that I am required to represent the best interests of the Class  
21 and to put the interests of the Class Members ahead of my own, which is what I have done throughout  
22 my involvement in this case. I believe my interests are aligned with those of the Class Members and  
23 are not antagonistic thereto.

24 7. My attorneys also sent me a representation agreement, which included a list of duties a  
25 Class Representative has to the class members. I carefully reviewed this list, as well as the rest of the  
26 agreement before signing it. I spent approximately one and a half hours reviewing the representation  
27 agreement.

28 8. I have been actively involved in the case. I stayed in touch with my attorneys since our first

1 conversation and have stayed up to date about the progress of the case. I promptly responded to all the calls  
2 and emails from my attorneys and assisted them in whatever way was asked of me. I reviewed and  
3 approved the pleadings in this case, including the original Complaint and the First Amended Complaint. I  
4 estimate that I spent approximately three hours reviewing the two complaints, and additional time speaking  
5 to my attorneys throughout the case.


6 9. In or about the third week of October 2024, my attorneys informed me that a proposed  
7 settlement had been reached, and explained the proposed terms to me, which I believe are fair and  
8 reasonable and in the best interest of the Class. Thereafter, I discussed the long-form Settlement Agreement  
9 with my attorneys, reviewed it, and signed it.

10 10. I estimate that since the initial conversation with my attorneys in April 2024, I devoted  
11 between 8 and 9 hours on activities related to this case, including communicating regularly with my  
12 attorneys, searching through my records, sending documents to my attorneys, reviewing pleadings and other  
13 key documents in this case, and generally discussing the case with my attorneys and asking questions.

14 11. I am proud of the results achieved by this case, and I feel that I have played an important  
15 role in obtaining these results. I feel that in today's world, with transactions involving sensitive personal  
16 information routinely conducted on the internet, it is important to keep companies accountable for their  
17 actions and to make sure that they take their users' privacy rights seriously and safeguard the private  
18 information users entrust to them.

19 12. I will continue to devote all the necessary time and actively participate in this case and do  
20 whatever my attorneys advise is needed to fulfill my role as Named Plaintiff until this case is concluded.

21 I declare under penalty of perjury under the laws of the United States of America that the  
22 foregoing is true and correct. Executed on 11/4/2024.

23  
24   
Jonathan Hoang To